

REMARKS

Claims 1-37 currently are pending in this application. Claim 8 has been indicated to be allowable if rewritten to be in independent form. By amendment above, claims 1, 15, 16, 25, 26, 28, and 32 have been amended to delete those embodiments in which substituent R of the generic formula can be a halo group. In addition, claims 1, 15, 25, 26, 28, 32, 35 and 37 have been amended to delete provisos that relate to compounds not encompassed by those claims as they are currently pending.

In the outstanding Office Action, the examiner has withdrawn rejections under Section 112, which applicants gratefully acknowledge. The examiner also has withdrawn those rejections under Section 102 that were based on the *Tetrahedron Letters* (1993) reference.

The examiner has made new rejections against each of claims 1, 4, 15, 16, 25, 26, 28, 29 and 32, 35 and 37 under 35 U.S.C. § 102(b) as being anticipated by JP 53111093 (CAPLUS abstract). The examiner asserted that the reference teaches Applicant's compound RN=69396-52-7. As noted above, Applicants have amended each of generic claims 1, 15, 16, 26, 28, 32, and 35 to eliminate from the scope of the claims those compounds in which substituent R is a halo group. By eliminating the option that R can be a halo group, the compounds of general formula I are clearly distinguished from the reference compound.

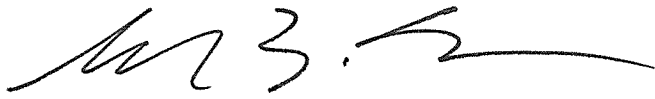
The outstanding Office Action was made final. This amendment is therefore submitted along with a Request for Continued Examination filed in accordance with

37 C.F.R. 1.114 and the fee set forth in 37 C.F.R. 1.17(e).

Applicants respectfully submit that the pending claims as amended are in condition for allowance. Early and favorable action on the merits are respectfully requested.

In the event that this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fee for such an extension together with additional fees that may be due with respect to this paper may be charged to Counsel's Deposit Account No. 02-2135.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M3.A', is written over a horizontal line.

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